



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/857,767	06/11/2001	Phillip S. Wilson	P281421	9618

909 7590 09/26/2003
PILLSBURY WINTHROP, LLP
P.O. BOX 10500
MCLEAN, VA 22102

EXAMINER

OMGBA, ESSAMA

ART UNIT PAPER NUMBER

3726

DATE MAILED: 09/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/857,767

Applicant(s)

WILSON, PHILLIP S.

Examiner

Essama Omgba

Art Unit

3726

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 June 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) 14-16 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13 is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sugawara et al. (US Patent 5,527,581) in view of Bagrodia et al. (US Patent 6,337,046).

Sugawara et al. discloses a method for blow molding large parts using parisons reinforced with inorganic filler or glass fiber, see column 2, lines 32-47, column 3, lines 3-7 and 64-67 and column 4, lines 1-50. Sugawara et al. does not disclose the reinforcement particles comprising less than 15% of a total volume of a plastic melt, at least 50% of the reinforcing particles having a thickness of less than 20 nanometers, and at least 99% of the reinforcement particles having a thickness of less than about 30 nanometers. However Bagrodia et al. teaches a plastic melt used in blow molding containers wherein the plastic melt is reinforced with particles having a thickness of less than 2 nanometers, wherein the reinforcement particles representing from about 0.5 to about 20 weight percent of the composite melt, see column 3, lines 5-15. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have reinforced the parison of Sugawara et al. with reinforcement particles as taught by Bagrodia et al., instead of the conventional inorganic fillers or glass fibers, in

Art Unit: 3726

order to provide a cost-effective method of producing articles made from nanocomposite compositions, the articles being suited for use in applications requiring molded parts.

Applicant should note that 100% of the reinforcement particles of Bagrodia et al. are less than 30 nanometers. Also with the reinforcement particles representing from about 0.5 to about 20 weight percent of the composite melt, it would have been obvious to one of ordinary skill in the art at the time the invention was made that the reinforcement particles would comprise less than 15% of the total volume of the plastic melt. Applicant should also note that the various blow molding steps recited in the claim are conventional in the art and the blow molded part of Sugawara et al. weighs at least 2 pounds and has a total surface area of at least 400 sq. inches.

3. Claims 2-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugawara et al./Bagrodia et al. as applied to claim 1 above, and further in view of Noba et al. (JP 410244889).

With regards to claims 2 and 3, Sugawara et al./Bagrodia et al. discloses a method for blow molding large parts such as interior support panels for automobiles as shown above. Although Sugawara et al./Bagrodia et al. does disclose the part being an integrally formed radiator and light support structure, however it is known to mold a radiator support structure that includes a radiator frame section with apertures to secure a motor vehicle radiator to the support structure with light receiving recesses with light receiving apertures 11 for securing lights to the support structure, the lights comprising head lights as attested by Noba et al., see abstract and figures 1 and 3-6. Therefore it would have been obvious to blow mold a radiator and light support structure using the

Art Unit: 3726

method of Sugawara et al./Bagrodia et al., in light of the teachings of Noba et al., in order to efficiently manufacture the radiator support structure and save on cost of manufacture.

For claim 4, Applicant should note that it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included recesses constructed to mount parking lights and other elements of a front fascia of an automobile.

For claims 5 and 6, Applicant should note that forming the apertures in the frame or the recesses after the part is removed from the mold assembly is an obvious matter of design choice wherein no stated problem is solved or unexpected results obtained in forming the apertures in the frame or in the recesses after the part is removed from the mold assembly versus forming them during the molding process as disclosed by Noba et al.

For claim 7, Applicant should note that the radiator support structure is conventionally nestingly disposed with respect to a front fascia of a motor vehicle.

4. Claims 8-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugawara et al./Bagrodia et al. as applied to claim 1 above, and further in view of Petrelli (US patent 5,000,333) and Plant (US patent 5,649,587).

Sugawara et al./Bagrodia et al. discloses a method for molding large parts as shown above except for the part being a substantially hollow bumper for a motor vehicle, the interior of the bumper communicating with a fluid consuming component of the motor vehicle wherein the bumper is filled with fluid to serve as a fluid reservoir for the fluid

Art Unit: 3726

consuming component. However Petrelli teaches a bumper 11 with a washer fluid reservoir 18 in the bumper, see figure 1 for example. Although Petrelli uses a separate reservoir for the washer fluid, it is however known to blow mold vehicle hollow components such as radiator fan shrouds, which serve as reservoirs for fluids such as coolant fluid, or washer fluids as attested by Plant, see column 1, lines 5-9, and 30-50 and figures 1 and 5. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have blow molded the part of Sugawara et al./Bagrodia et al. as a hollow bumper with fluid reservoirs, in light of the teachings of Petrelli and Plant, in order to save space in the engine compartment and save on manufacturing cost by combining plural parts.

Allowable Subject Matter

5. Claim 13 is allowed.

Response to Arguments

6. Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's declaration filed on 03 June 2003 has been entered and considered by the examiner.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Essama Omgba whose telephone number is (703) 305-2915. The examiner can normally be reached on M-F (10-7:30) First Friday off.


Art Unit: 3726

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Vidovich can be reached on (703) 308-1513. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

eo


September 16, 2003


GREGORY VIDOVICH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700